COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION

October 5, 2004

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

AMENDMENT OF THE EXISTING
RATE AND METHOD OF APPORTIONMENT OF ASSESSMENTS
FOR LANDSCAPING AND LIGHTING ACT DISTRICT NO. 2,
ZONE NO. 26, EMERALD CREST
(5th District - Three-Vote Matter)

IT IS RECOMMENDED THAT YOUR BOARD

1. Adopt the enclosed Resolution of Intention to order an amendment to the existing rate and method of apportionment of assessments to allow for annual cost of living adjustments within Landscaping and Lighting Act (LLA) District No. 2, Zone No. 26, Emerald Crest, pursuant to the provisions of the Landscaping and Lighting Act, Part 2 of Division 15 of the Streets and Highways Code of the State of California, ("the Act") and as provided by Article XIII D of the California Constitution.

2. Set the date for a public hearing regarding the amendment to the rate and method of apportionment of assessments as specified in Section 22625 of the Streets and Highways Code.

3. Approve and file the enclosed Engineer's Report prepared in accordance with Article 4 (commencing with Section 22565 of Chapter 1 of Part 2 of Division 15) of the Streets and Highways Code regarding the proposed amendment to the existing rate and method of apportionment of assessments to allow for annual cost of living adjustments to the assessments in LLA District No. 2, Zone No. 26, Emerald Crest, pursuant to provisions of the Act.

4. Instruct the Executive Officer to give notice of the public hearing and to mail ballots to property owners at least 45 days prior to the date of the hearing.

IT IS FURTHER RECOMMENDED THAT, AT THE CONCLUSION OF THE PUBLIC HEARING, YOUR BOARD

1. Instruct the Executive Officer to manage the tabulation of assessment ballots submitted, and not withdrawn, in support of or in opposition to the proposed amendment to the rate and method of apportionment of assessments to allow for annual cost of living adjustments to the assessments for LLA District No. 2, Zone No. 26, Emerald Crest, and determine whether a majority of the ballots submitted in favor of the amendment to the Zone exceed those submitted in opposition.

2. Find that the projects are exempt from the California Environmental Quality Act (CEQA).

3. For the amendment to the rate and method of apportionment, if the ballots submitted in favor of the amendment exceed those submitted in opposition, adopt the corresponding resolution confirming the amendment, either as originally proposed or as changed by the Board. The adoption of this resolution shall constitute the approval of the amendment for the fiscal year referred to in the Engineer's Report: "Resolution Ordering the Amendment to the Rate and Method of Apportionment for Los Angeles County Landscaping and Lighting Act (LLA) District No. 2, Zone No. 26, Emerald Crest, Fiscal Year 2005-06".

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTIONS

These recommended actions are for your Board to: a) set a date for a public hearing for the amendment to the existing rate and method of apportionment of assessments subject to the requirements of Proposition 218; b) approve and file the enclosed Engineer's Report; and c) amend the existing rate and method of apportionment of assessments for Los Angeles County Landscaping and Lighting Act (LLA) District No. 2, Zone No. 26, Emerald Crest. These actions are pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of the State of California, pursuant to the provisions of Article XIII D of the California Constitution, and provide funding for the operation of the aforementioned County-administered District and Zone.

The Resolution of Intention to amend the rate and method of apportionment is limited to the (LLA) District No. 2, Zone No. 26, Emerald Crest.

LLA District No. 2, Zone No. 26, Emerald Crest

D.R. Horton Homes, developer of the unincorporated area known as Emerald Crest, Tract No. 51587 and 51587-01, and owner of 72 percent of the lots in Zone No. 26, has requested an amendment to the existing rate and method of apportionment of assessments to allow for annual cost of living increases.

The proposed adjustment will allow for annual cost of living increases to the annual assessments, based on the Consumer Price Index.

On August 5, 1986, your Board approved the formation of County LLA District No. 2, Zone No. 26, Emerald Crest, for the purpose of providing landscape maintenance pursuant to provisions of the Landscaping and Lighting Act of 1972, Part 2, Division 15, of the Streets and Highways Code of the State of California. As the governing body, the Board of Supervisors is responsible for approving amendments to the existing rate and method of apportionment of assessments to allow for annual increases in assessments for landscape maintenance purposes.

Implementation of Strategic Plan Goals

These actions meet the County's Strategic Plan Goals of Fiscal Responsibility (Goal Four) and Service Excellence (Goal One). These recommendations, in compliance with the Landscaping and Lighting Act of 1972 and Article XIIID of the California Constitution, will allow the County to service and maintain the landscaping and appurtenant facilities that benefit those that live within this zone.

FISCAL IMPACT/FINANCING

Services provided in this District and Zone are funded by the assessments established by the Board of Supervisors. Therefore, there is no impact to the General Fund. The recommended annual adjustment to the assessments based on the Consumer Price Index will provide the County the ability to increase assessments on an annual basis. These increases are necessary for maintenance, servicing and administrative costs associated with the improvements to keep pace with inflation.

Commencing with Fiscal Year 2006-07, the assessments may be increased annually for inflation, based on the Consumer Price Index, All Urban Consumers - for the Los Angeles-Riverside-Orange County Area (CPI), as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, this Department shall use a revised index or comparable system for determining fluctuations in the cost of living, as approved by the Board.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Act sets forth a procedure that must be followed for any amendment to the original rate and method of apportionment of assessments. It requires that the legislative body adopt a Resolution Initiating Proceedings and generally describing any proposed substantial changes to the rate and method of apportionment. The legislative body also must order the Interim Director of the Department of Parks and Recreation to have prepared and filed an Engineer's Report in accordance with Section 22565 et seq. of the Streets and Highways Code. The report will show an estimate of, and a proposed assessment to pay for, the costs of providing landscape maintenance services including the amendment to the rate and method of apportionment of assessments. The Act provides a method of funding an assessment district with assessments being collected via the consolidated tax bill and provides for the assessment of landscape maintenance costs against the benefiting properties.

Proceedings for an amendment to an existing Los Angeles County LLA District under the Act are initiated by Resolution pursuant to Section 22608 of the Streets and Highways Code and Article XIIID, Section 6 of the California Constitution. In amendment proceedings, the Resolution, Report, Notices of Hearing, and Right of Majority Protest are limited to the District and Zone affected by the amendment.

The passage of Proposition 218 in November 1996 added Articles XIIIC and XIIID to the California Constitution. Article XIIID contains additional requirements to those found in the Act that must be followed for the levying of new or additional assessments and the filing of the Engineer's Report. Emerald Crest, Zone No. 26, requires assessment ballots to approve the amendment and inclusion of the annual inflation factor.

Your Board is required to conduct one public hearing upon the proposed amendment not less than 45 days after mailing notices to the property owners. A notice and ballot will be mailed to each property owner within LLA District No. 2, Zone No. 26, Emerald Crest, in compliance with Article XIIID of the California Constitution.

Any new or additional assessments that are subject to the notice and hearing provisions of Article XIIID of the California Constitution are not subject to the notice and hearing requirements of Government Code Section 54954.6.

County Counsel has approved the enclosed Resolutions as to form.

ENVIRONMENTAL DOCUMENTATION

Approval of the proposed amendment is exempt from the California Environmental Quality Act (CEQA) according to Section 15301 and Subsection 15301 (h) and Section 15273(a)(1)(2)(3)(4) of State CEQA Guidelines because CEQA does not apply to the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, or other charges by public agencies. Approval of the amendment is also exempt from CEQA because it is for the purpose of (1) meeting operating expenses including employee wage rates and fringe benefits, (2) purchasing and leasing supplies, equipment or materials, (3) meeting financial reserve needs and requirements and/or (4) obtaining funds for capital projects necessary to maintain service within existing service areas, pursuant to Section 21080(b) 8 of the Public Resources Code.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of these recommendations will be a benefit to the Emerald Crest development through the continued beautification, maintenance and servicing of landscaping and appurtenant improvements.

CONCLUSION

It is requested that an executed copy of this document be retained by the Executive Officer-Clerk of the Board, one conformed copy each be forwarded to the Chief Administrative Office, and County Counsel, and two conformed copies be forwarded to the Department of Parks and Recreation.

Respectfully submitted,

Russ Guiney
Interim Director

RR:ka:BdLtr2 Emerald Crest-9_7_04

Attachments (2)

c: Chief Administrative Officer
Executive Officer, Board of Supervisors (22)

COUNTY OF LOS ANGELES
BOARD OF SUPERVISORS

RESOLUTION OF INTENTION
TO AMEND THE RATE AND METHOD OF APPORTIONMENT OF ASSESSMENTS
FOR LOS ANGELES COUNTY LANDSCAPING AND LIGHTING ACT (LLA)
DISTRICT NO. 2, ZONE NO. 26, EMERALD CREST
FOR FISCAL YEAR 2005-06, AND APPOINTING A TIME AND PLACE FOR
HEARING PROTESTS

WHEREAS, the Board of Supervisors of the County of Los Angeles previously approved the formation of Los Angeles County Landscaping and Lighting Act (LLA) District No. 2, Zone No. 26, Emerald Crest, for the purpose of providing funds for the provision of landscape maintenance services located therein pursuant to the Landscaping and Lighting Act of 1972 of Part 2 of Division 15 of the Streets and Highways Code of the State of California (the "Act"); and

WHEREAS, the Board of Supervisors of the County of Los Angeles, on September 21, 2004 adopted a resolution initiating proceedings for an amendment to the rate and method of apportionment of assessments to allow for annual cost of living adjustments within LLA District No. 4, Zone No. 26, Emerald Crest; and

WHEREAS, the Board of Supervisors of the County of Los Angeles has approved and filed the Engineer's Reports as required by law.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles, State of California:

SECTION 1. That the public interest and convenience require, and that it is the intention of said Board of Supervisors to order, that the expense necessary for the installation, maintenance, repairs, replacement, utilities, care, supervision and all other items necessary for proper maintenance and operation of Zone No. 26, Emerald Crest,

within Los Angeles County LLA District No. 2, shall be assessed upon each lot or parcel of land lying within in proportion to the estimated benefits received from the improvements, and which should be assessed to pay the expense of the maintenance and operation of said improvements. The Engineer's Report on file with the Executive Officer-Clerk of the Board of Supervisors describes the boundary of the said Zone, the location and improvements within the Zone, and the proposed assessment on each lot or parcel of land included therein.

SECTION 2. That the public interest and convenience require, and that it is the intention of said Board of Supervisors to authorize, that the existing rate and method of apportionment of assessments be amended for LLA District No. 2, Zone No. 26, Emerald Crest.

SECTION 3. That in subsequent fiscal years the Board of Supervisors may thereafter impose the assessment at any rate or amount that is less than or equal to the amount authorized for Fiscal Year 2005-06, increased each year based upon the Consumer Price Index, All Urban Consumers for the Los Angeles-Riverside-Orange County Area (CPI), as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor, without conducting another mailed ballot election. The Engineer shall compute the percentage of difference between the CPI for February of each year and the CPI for the previous February, and shall then adjust the existing assessment by an amount not to exceed such percentage for the following fiscal year. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, the Engineer shall use the revised index or a comparable system as approved by the Board for determining fluctuations in the cost of living.

SECTION 4. That the amounts to be assessed for the expense of such maintenance and operation of the work or improvements above described shall be levied and collected in the same manner and by the same officers as taxes for County purposes are levied and collected and shall be disbursed and expended for maintenance, operation and service of this Zone, as described in the Engineer's Report and Section 1 of this Resolution.

SECTION 5. That the boundary of Zone No. 26, Emerald Crest, consists of the areas shown on the approved Engineer's Report.

SECTION 6. That the proposed amendment is subject to majority approval of the property owners in the proposed Zone. A ballot and public hearing notice will be sent to each property owner within the subject area at least 45 days before the public hearings. The ballots will be weighted by the amount of assessment to be paid by each property owner within the Zone. The proposed amendment will be abandoned if the weighted majority of ballots submitted are opposed to the amendment.

SECTION 7. That the proceedings for the levying of assessments shall be taken under and in accordance with the Landscaping and Lighting Act of 1972 (Division 15, Part 2, of the Streets and Highways Code), and in accordance with Section 53753 of the Government Code and Article XIIID of the California Constitution.

SECTION 8. That on _____ at the hour of _____ of said day, is the day and hour, and the Chambers of the Board of Supervisors of the County of Los Angeles, Room 381, Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, California 90012, is the place fixed by said Board of Supervisors when and where any and all persons may hear and be heard.

SECTION 9. The Clerk of the Board of Supervisors is hereby authorized and directed to give notice of the public hearing and mail assessment ballots to all property owners within the Zone as shown on the latest Los Angeles County Assessor Records as set forth in Section 7 in accordance with law and Article XIIID of the California Constitution.

The foregoing resolution was on the _____ day of _____, 2004, passed by the Board of Supervisors of the County of Los Angeles and ex-officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

Si no entiende esta noticia o necesita mas informacion por favor llame a este numero (800) 636-3535.

VIOLET VARONA-LUKENS,
Executive Officer-
Clerk of the Board of Supervisors of
the County of Los Angeles

By _____
Deputy

APPROVED AS TO FORM:

OFFICE OF THE COUNTY COUNSEL

By _____
Francis E. Scott, Principal Deputy

COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION
SPECIAL DISTRICTS SECTION
31320 CASTAIC ROAD
CASTAIC, CA 91384-3900

ENGINEER'S REPORT

COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION

LLA DISTRICT NO. 2
ZONE NO. 26
EMERALD CREST

FISCAL YEAR 2005/2006

Intent Meeting September 21, 2004
Public Hearing November 23, 2004

ENGINEER'S REPORT AFFIDAVIT

LLA DISTRICT NO. 2
ZONE NO. 26
EMERALD CREST

County of Los Angeles, State of California

This Report describes the District therein including the improvements, budgets, parcels, and assessments to be levied for Fiscal Year 2005/2006, as they existed at the time of the passage of the Resolution of Intention. Reference is hereby made to the County of Los Angeles Assessor's maps for a detailed description of the lines and dimensions of parcels within the Annexation. The undersigned respectfully submits the enclosed Report as directed by the Board of Supervisors.

Dated this 23, day of NOVEMBER, 2004

MuniFinancial
Assessment Engineer
On Behalf of the County of Los Angeles, Department of Parks and Recreation

By: _____
Bryan Miller, Project Manager

By: _____
Richard Kopecky, Engineer of Work
R.C.E. # 16742

LLA DISTRICT NO. 2
ZONE NO. 26
EMERALD CREST

TABLE OF CONTENTS

I. INTRODUCTION 1

II. PLANS AND SPECIFICATIONS 3

III. ESTIMATED COSTS OF THE IMPROVEMENTS 3

IV. ASSESSMENT DIAGRAM 6

V. ASSESSMENT 6

VI. METHOD OF ASSESSMENT 6

APPENDIX A – ASSESSMENT ROLL

APPENDIX B – ASSESSMENT DIAGRAM

LLA DISTRICT NO. 2
ZONE NO. 26
EMERALD CREST

I. INTRODUCTION

This report is prepared in compliance with the requirements of Article 4, Chapter 1, of the Landscaping and Lighting Act of 1972, (hereinafter referred to as the "Act") which is Part 2, Division 15 of the California Streets and Highways Code. This report considers an amendment to the rate and method of apportionment of assessments covering the maintenance of landscaping in the Emerald Crest development (Tract 51587) to be known as: the Emerald Crest (the "Zone"), within the County of Los Angeles LLA District No. 2 (the "District").

Pursuant to the Act, the Board of Supervisors is the legislative body for the District and Zone, and may initiate changes to the original District and Zone acting as the governing body for the operations and administration of the district.

Section 22608 of the Streets and Highways Code further states that any proceedings to amend the original District and Zone will be limited to the territory included within the Zone. This report will be limited to those properties proposed to be included within the Zone as shown on Appendix "B."

RIGHT TO VOTE ON TAXES ACT (PROPOSITION 218)

On November 5, 1996, the electorate approved Proposition 218, Right to Vote on Taxes Act, which added Articles XIII C and XIII D to the California Constitution. The Proposition affects all assessments upon real property for a special benefit conferred on the property. Assessments imposed under the Landscaping and Lighting Act of 1972 are these types of benefit assessments.

Each property owner who owns parcels within the Zone subject to assessments will be sent an Assessment Ballot and Notice of Public Hearing requesting their approval for an amendment to the original rate and method of apportionment and the implementation of an inflation factor within the Zone. Subsequent owners of parcels, following the public hearing, would be made aware through title reports and Department of Real Estate "White Paper" reports that the parcels are in the Zone and subject to the assessments. Purchase of the parcel(s) is also an agreement by the new owners to be subject to the assessments. However, subsequent increases above the approved rate plus inflation factor if any, will be subject to the procedures and approval process of Section 4 of Article XIII D.

The County may initiate proceedings for an amendment to the rate and method of apportionment by passing a resolution declaring the County's intention. This Resolution of Intention generally describes the territory to be included within the Zone and orders an engineer to prepare and file a detailed report.

This report, prepared by a licensed engineer, details only the territory to be included within the Zone and must include: plans and specifications of the improvements; a) an estimate of the costs of the improvements, including maintenance and servicing; b) a diagram, i.e., map of the Zone showing the boundary of the Zone; c) the parcels which benefit; and d) an estimate of costs of the improvements, maintenance, and servicing. Once the report is completed, it is presented to the Board of Supervisors (the legislative body) for its review and approval as presented, or may be modified and approved.

After the report is approved, the County adopts the Resolution of Intention which declares its intent to levy and collect assessments within the Zone, describes the improvements, including maintenance and servicing, refers to the Zone by its distinctive designation, refers to the report for the details of the Zone, and sets a time for a public hearing on the amendment..

The Right to Vote on Taxes Act, Articles XIII C and XIII D, requires that the County Board of Supervisors conduct a public hearing not less than forty-five days after mailing a Notice of Assessment and Assessment Ballot explaining the amendment to record owners of each parcel which will have a special benefit conferred upon them and upon which the amendment will affect.

At the public hearing, the County will count the Assessment Ballots returned and consider the public testimony in favor and/or opposing the amendment. If the amendment receives property owner approval, the amended assessments will be approved for levy and the amended rate will replace the current rate. If the amendment does not receive voter approval the amended assessments will not be imposed and the original assessments will continue to be levied at their existing Fiscal Year 2004/2005 rates.

If authorized, the assessments would be placed on the 2005/2006 County Tax Roll and would be collected with the regular County property taxes.

II. PLANS AND SPECIFICATIONS

The improvements for the Zone are located within and adjacent to Tracts 44440, 51587, and 51587-01. Landscaping is located within landscape easements along 40th Street West, Avenue L-8, Puget Way, 42nd Street West, Victoria Lane, Klamath Lane, and Olympia Way.

Improvements

The improvements and facilities to be maintained by the District and Zone include but are not limited to approximately 21,000 square feet of landscaping.

• Avenue L-8	11,570 SF
• 40th Street West	11 570 SF
• Puget Way (2 sidebars)	1,180 SF
• 42nd. Street West	3,560 SF
• Victoria Lane/Klamath Lane/Olympia Way (basin front)	3,978 SF
Total	31,858 SF

All square footages are approximate at this time. Reference is made to the plans and specifications identified above for more details.

The Drainage basin located in the northwest corner of Tract 44440 is not maintained by Los Angeles County Parks and Recreation and is therefore not included within this maintenance Zone.

Maintenance

The proposed maintenance for the Zone includes, but is not limited to, and may be generally described as follows:

The operation, maintenance, and servicing of ornamental structures, landscaping, including trees, shrubs, grass, and other ornamental vegetation, and appurtenant facilities, including irrigation systems, and drainage devices located in public places within the boundaries of the Zone. Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of the ornamental structures, landscaping, and appurtenant facilities, including repair, removal, or replacement of all or part of any of the ornamental structures, landscaping, or appurtenant facilities; providing for the life, growth, health, and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, and treating for disease or injury; the removal of trimmings, rubbish, debris, other solid waste; and pest control. Servicing means the furnishing of electricity for the operation of any appurtenant facilities, and water for the irrigation and control of the landscaping and the maintenance of any of the ornamental structures, landscaping, and appurtenant facilities.

Plans and Specifications for the improvements for the Zone are voluminous and are not bound in this report but by this reference are incorporated and made a part of this report. The plans and specifications are on file in the office of County of Los Angeles Department of Parks and Recreation, Special Districts Division where they are available for public inspection.

III. ESTIMATED COSTS OF THE IMPROVEMENTS

The Act provides that the estimated costs of the maintenance of the improvements shall include the total cost of the maintenance of the improvements for Fiscal Year 2005/2006, including incidentals, which may include reserves to operate the Zone until funds are transferred to the County from the County of Los

Angeles Auditor/Controller around December 10 of the same fiscal year.

The Act also provides that the amount of any surplus, deficit, or contribution be included in the estimated cost of improvements. The net amount to be assessed on the parcels within the Zone is the total cost of installation, maintenance, and servicing with adjustments either positive or negative for reserves, surpluses, deficits, and/or contributions.

Estimated costs of the maintenance of the improvements for the Zone are voluminous and are not bound in this report but by this reference are incorporated and made a part of this report. The estimated costs are on file in the office of the County of Los Angeles Department of Parks and Recreation, Special Districts Division where they are available for public inspection.

At ultimate development of the Emerald Crest development, Tracts 44440, 51587 and 51587-01 will consist of 132 assessable parcels at full build out. As of November 23, 2004 the Zone consists of thirty-six (36) parcels and one large vacant parcel (remaining 96 proposed parcels). An assessable parcel is defined as a residential parcel assigned an individual assessor parcel number. For this report, one residential parcel assigned an individual Assessor Parcel Number, with a single residential structure will be considered a single equivalent dwelling unit (EDU).

The drainage basin located at the northwest corner of Tract 44440 currently cannot be developed and is not assessable at this time. Should the drainage basin be removed including adjacent common landscaping, and the parcel subdivided, the resulting new parcels will be assessed at the current rate along with the parcels in the remainder of the Zone.

LLA DISTRICT NO. 2
ZONE NO. 26
EMERALD CREST

PROPOSED FISCAL YEAR 2005/2006 BUDGET ESTIMATE

ASSESSABLE PARCELS/EDUs AT FULL BUILD-OUT: 132 Single Family Residential Units

TYPE OF LAND USE: Single Family Residential

BUDGET ITEM	Benefit Percent	Total Expenses		TOTAL ZONE Share
EXPENSES FY 2005/2006				
Landscape Maintenance Costs	70%	$11,550.00		$ 11,550.00
District Administration	20%	$ 3,300.00		$ 3,300.00
Miscellaneous Expenses	10%	$ 1,650.00		$ 1,650.00
Total Expenses		$16,500.00		$16,500.00
REVENUE FY 2005/2006				
Surplus (carryover) and Interest June 30, 2005				$ 0.00
Total Assessment Required				$16,500.00
Total Revenue				$0
ASSESSMENTS FY 2005/2006				
Total Assessment Required				$16,500.00
Number of Parcels/EDUs			132	
Proposed Annual Assessment per Parcel			$125.00	

IV. ASSESSMENT DIAGRAM

The location and boundary of the District and Zone is the Emerald Crest development, Tracts 44440, 51587, and 51587-01, 40th Street West and Avenue L-8. The development is currently located in unincorporated Los Angeles County area known as Quartz Hill, south and west of the City of Lancaster.

The boundary maps/diagrams are included herein as "Appendix B" as part of this report. For details of the parcels, reference is made to the assessor maps on file with the County Assessor. Assessor information for this report was obtained from the latest assessment roll from the County of Los Angeles, Office of the Assessor.

V. ASSESSMENT

All assessed parcels of real property within the Zone are listed on the assessment roll, which is on file at the County, and is hereby made a part of this report by reference. The assessment roll states the net amount to be assessed upon assessable lands within the Zone for Fiscal Year 2005/2006 shows the Fiscal Year 2005/2006 assessment upon each parcel within the Zone and describes each assessable parcel of land within the Zone. These parcels are more particularly described on the County assessment roll, which is on file in the office of the County of Los Angeles Assessor and by reference is made a part of this report as "Appendix A."

Commencing with Fiscal Year 2006/2007, the amount of the assessments for the Zone will include a yearly increase, based upon the Consumer Price Index, All Urban Consumers, for the Los Angeles-Orange-Riverside County Area ("CPI"), as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor. The licensed engineer shall compute the percentage difference between the CPI for February of each year and the CPI for the previous February, and shall then adjust the existing assessment by an amount not to exceed such percentage for the following fiscal year. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, the engineer shall use the revised index or a comparable system as approved by the County Board of Supervisors for determining fluctuations in the cost of living.

Based on land use information provided by the County Assessor, all parcels within the Zone are either residential, or public parcels. The primary benefit derived is from the maintenance of perimeter landscaping.

As a condition of tentative map approval, open space/common area parcels (drainage basin) are required to be left as open space and no construction can occur on them. Therefore, these parcels will not be assessed as they serve only to provide benefit within the Zone and receive no special benefit.

In accordance with Section 4 of Article XIII D of the California Constitution, publicly owned parcels are required to be assessed unless they in fact receive no benefit. Within the benefit zone, there is one parcel/drainage basin, which will be owned by a public agency.

VI. METHOD OF ASSESSMENT

BACKGROUND

The Landscaping and Lighting Act of 1972 provides that assessments may be apportioned upon all assessable parcels of land within an assessment district or zone in proportion to the estimated benefits to be received by each parcel from the improvements to be maintained. In addition, Proposition 218 requires that a parcel's

assessment may not exceed the reasonable cost of the proportional special benefit conferred on that parcel. The Proposition provides that only special benefits are assessable, and the County must separate the general benefits from the special benefits conferred on a parcel. A special benefit is a particular and distinct benefit over and above general benefits conferred on the public at large, including real property within the district. The general enhancement of property value does not constitute a special benefit.

SPECIAL BENEFIT

In a landscape maintenance district or zone developers of the land typically install the landscape improvements, and guarantee the continued maintenance through the establishment of a landscape maintenance district or zone. If the installation of the improvements and the guaranteed maintenance did not occur, the parcels would not have been established and could not have been sold to any distinct and separate owner. The establishment of each distinct and separate parcel is a special benefit, which permits the construction of a building or structure on the property and the ownership and sale of the distinct parcel in perpetuity.

All the parcels are established at the same time once the conditions regarding the improvements and the continued maintenance are guaranteed. As a result, each parcel within a district or zone receives a special and distinct benefit from the improvements and to the same degree.

For the Emerald Crest development, the area surrounding the development consists of landscaped easements and other improvements including a drainage basin. This is the landscaping and other improvements that will be maintained by the Zone. Since these improvements are for the benefit of the owners and the owners also benefit from the maintenance of these improvements, only the owners of property within the Zone are assessed for this benefit and its costs.

In addition, the improvements continue to confer a particular and distinct special benefit upon parcels within the Zone because of the nature of the improvements. The proper maintenance of landscaping and appurtenant facilities specially benefit parcels within the Zone by moderating temperatures, and providing oxygenation thereby enhancing the environmental quality of the parcels and making them more desirable. The spraying and treating of landscaping for disease reduces the likelihood of insect infestation and other diseases spreading to landscaping located throughout the properties within the Zone. The proper maintenance of the landscaping, ornamental structures, and appurtenant facilities reduces property-related crimes (especially vandalism) against properties in the Zone. The landscaping located in the Zone, helps to visually join the various segments of the community, which enhance the desirability of the property. Finally, the proper maintenance of landscaping and ornamental structures improves the attractiveness of the properties within the Zone and provides a positive visual experience each and every time a trip is made to or from the property.

GENERAL BENEFIT

In addition to the special benefits received by the parcels within the Zone, there are incidental general benefits conferred by the proposed improvements.

The proper maintenance of landscaping and appurtenant facilities within the Zone will not only control dust from blowing onto properties within the Zone, but will also control dust from blowing onto properties outside of the Zone. The spraying and treating of landscaping for disease reduces the likelihood of insect infestation and other diseases spreading to landscaping located throughout other properties within the County. Finally, the proper maintenance of landscaping and ornamental structures provides a positive visual experience to persons passing by the Zone. All of the above-mentioned constitutes incidental general

benefits conferred by the improvements.

The total benefits are thus a combination of the special benefits to the parcels within the Zone and the general benefits to the public at large and to adjacent property owners. The portion of the total landscape maintenance costs, which are associated with general benefits, will not be assessed to the parcels in the Zone, but will be paid from other County funds.

APPORTIONMENT

Once the special benefit portion of the costs is determined it will be spread over the parcels within the Zone in the following manner. In the Zone, all the parcels receive the same special benefit from the improvements due to their use and their similar proximity to the improvements. Therefore, each parcel is assessed an equal amount based on their land use. Beginning with Fiscal Year 2005/2006 the parcels within the Zone will be assessed based on their number of Equivalent Dwelling Units (EDU). All residential development will be assessed based on their equivalent number of buildable units as they relate to land use density with a single-family, estate, dwelling unit equal to 1 EDU.

Land Use	Description	Parcel or EDU
Single Family Residential*	1 single family dwelling unit	1

Parcels within the Emerald Crest Zone No. 26 will be assessed $125.00 per parcel or EDU for Fiscal Year 2005/2006. The following information details the breakdown of EDUs within the Zone.

Description	Parcels	EDUs	Assessment Rate
Single Family Residential	132	132	$125.00 per Parcel or EDU
Total EDUs		**132**	

For the Zone, until such time as the existing vacant parcel is subdivided, developed, and recognized by the County of Los Angeles Assessor with individual Assessor Parcel Numbers the assessment rate will not be applied. Once the parcels subdivide the "per parcel" or EDU rate of $125.00 per parcel or EDU will carry over to all new parcels.

*Includes individual condominium units with individually assigned Assessor Parcel Numbers.

APPENDIX A
ASSESSMENT ROLL

LLA DISTRICT NO. 2
ZONE NO. 26
EMERALD CREST

County of Los Angeles, State of California

The assessment roll for the County of Los Angeles, LLA DISTRICT NO. 2, ZONE 26, Emerald Crest, is hereby incorporated and made a part of this report. The assessment rolls are on file in the office of the County of Los Angeles Department of Parks and Recreation, Special Districts Division where they are available for public inspection.

Reference is made to the County of Los Angeles assessment roll for a description of the parcels in the District, and Zone.

District/Zone Number	Assessor Parcel Number	FY 2005/2006 Assessment Per District	FY 2005/2006 Assessment Per Proposed Parcel or EDU
2/26	3103-031-001 through 036	$16,500.00	$125.00
Emerald Crest	3103-028-025 (96 EDUs)		$12,000.00

The assessment rate of $125.00 will be spread over future parcels upon recordation of the tracts with the County Recorder's Office and upon issuance of individual Assessor Parcel Numbers at a rate of $125.00 per parcel or EDU

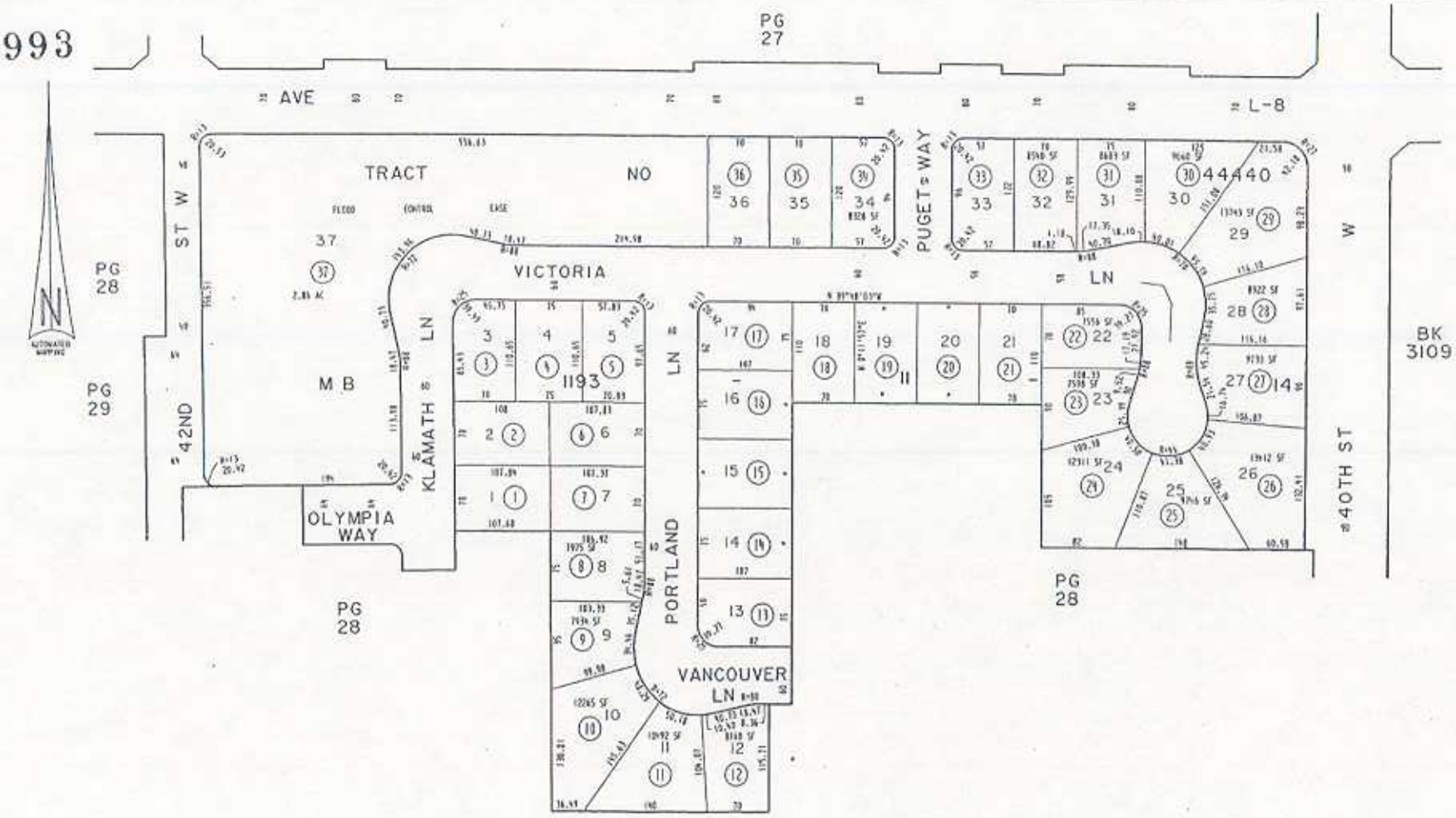
APPENDIX B
ASSESSMENT DIAGRAM

LLA DISTRICT NO. 2
ZONE NO. 26
EMERALD CREST

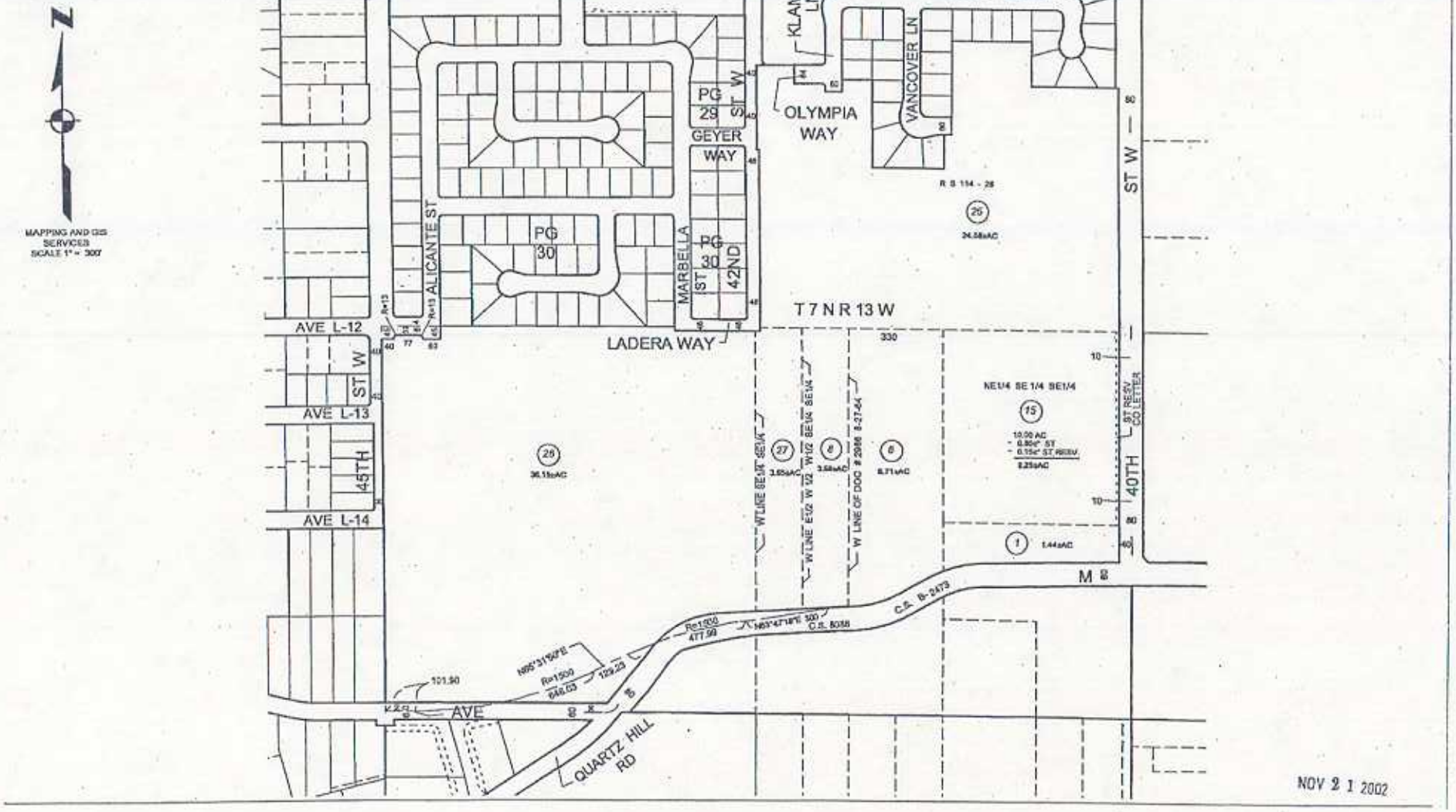
Los Angeles, CA , 2002-2003 - 3103-031, Sheet: 1 of *

3103	31	SCALE 1" = 100'	TRA	OFFICE OF ASSESSOR COUNTY OF LOS ANGELES	REVISED
		P.A. 3103-28	9543	COPYRIGHT © 1992	

1993



Los Angeles, CA , 2002-2003 - 3103-028, Sheet: 1 of 1

3103	28 SHEET	P.A. 3103-28	TRA 9543	REVISED 930105100001001-A1 930105100001002-A1	20021121110050001-A1				SEARCH NO		OFFICE OF THE ASSESSOR COUNTY OF LOS ANGELES COPYRIGHT © 2002

2003